IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 579 OF 1989

State of Maharashtra]..Appellant
versus
1. Anwar Ahamad Yunus Momin]..Respondents
2. Malik Ahammad Gulam Mustafa](Ori. Accused
3. Ayyaa Ahammad Abdul Kadir] Nos.1, 4 & 5)

Mr. P. S. Hingorani, APP for the Appellant - State.

Mr. Firoz Ansari for the Respondent No.1.

Mr. P. M. Pradhan for the Respondent No.2.

None for the Respondent No.3.

CORAM : D. G. DESHPANDE, &
SMT. NISHITA MHATRE, JJ.

DATE : 22ND MARCH, 2007.

ORAL ORDER.

1. Heard learned APP for the Appellant - State and Counsel for the Respondent Nos. 1 and 2.

2. There were two Appeals along with this Appeal. The appellants or the accused in those matters died and those appeals abated.

3. After going through the record and hearing the parties, it is clear that the fatal blows were

given to the victim by the accused whose appeals have been abated. There is no specific role attributed to accused Nos. 1, 4 and 5 and they cannot be held responsible for the death of victim. The trial court rightly acquitted them. There is no merit in this Appeal. It is dismissed. Bail bonds of the respondents - original accused Nos. 1, 4 and 5 stands cancelled.

(SMT. NISHITA MHATRE, J.) **(D.G. DESHPANDE, J.)**